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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 MICHAEL M. ANGELLO and ROBERT
11 J. ANGELLO,

12 Plaintiffs,

13 v.

14 KERRY KILLINGER, et al.,

15 Defendants.

CASE NO. 2:08-md-1919 MJP

MEMBER CASE NO. C11-1336 MJP

AMENDED ORDER SETTING
TRIAL DATE AND RELATED
DATES

16	JURY TRIAL DATE	March 11, 2013
17	Deadline for joining additional parties	December 13, 2011
18	Deadline for filing amended pleadings	December 23, 2011
19	Reports from expert witness under FRCP 26(a)(2) due	August 13, 2012
20	All motions related to discovery must be filed by and noted on the motion calendar on the third Friday thereafter (<u>see</u> Local Rule CR 7(d))	September 12, 2012
21	Discovery completed by	October 12, 2012
22	All dispositive motions must be filed by and noted on the motion calendar on the fourth Friday thereafter (<u>See</u> Local Rule CR 7(d))	November 13, 2012
23	Counsel are reminded of the requirement to provide	
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1	courtesy copies of any motions with exhibits or other attachments exceeding 50 pages. Compliance with this requirement will facilitate timely consideration of your motion.	
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3	Settlement conference per Local Rule CR 39.1(c)(2) held no later than	January 10, 2013
4	Mediation per Local Rule CR 39.1(c)(3) held no later than	February 4, 2013
5	All motions in limine must be filed by and noted on the calendar no earlier than the third Friday thereafter and no later than the Friday before the pretrial conference	February 4, 2013
6	Agreed pretrial order due	February 27, 2013
7	Pretrial conference	March 1, 2013 at 1:30 PM
8	Trial briefs, proposed voir dire questions, proposed jury instructions, and trial exhibits due by	March 6, 2013
9	Length of Jury Trial	15 days

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11 The Court has considered and DENIES Defendant Killinger's request to take 30 fact

12 witness depositions. If Defendant Killinger remains convinced that he needs to take 30 fact

13 depositions, he may seek leave of Court to take additional depositions by demonstrating good

14 cause. Any dispute over the number of fact witnesses must be submitted to the Court using the

15 unified format set out in Local Rule 37(a)(1)(B).

16 These dates are set at the direction of the Court after reviewing the joint status report and

17 discovery plan submitted by the parties. All other dates are specified in the Local Civil Rules. If

18 any of the dates identified in this Order or the Local Civil Rules fall on a weekend or federal

19 holiday, the act or event shall be performed on the next business day. These are firm dates that

20 can be changed only by order of the Court, not by agreement of counsel or the parties. The Court

21 will alter these dates only upon good cause shown: failure to complete discovery within the time

22 allowed is not recognized as good cause.

23 If the trial date assigned to this matter creates an irreconcilable conflict, counsel must

24 notify the Deputy Clerk, Rhonda Miller, in writing within 10 days of the date of this Order and

1 must set forth the exact nature of the conflict. A failure to do so will be deemed a waiver.
2 Counsel must be prepared to begin trial on the date scheduled, but it should be understood that
3 the trial may have to await the completion of other cases.

4 **COOPERATION:**

5 As required by CR 37(a), all discovery matters are to be resolved by agreement if
6 possible. Counsel are further directed to cooperate in preparing the final pretrial order in the
7 format required by CR 16.1, except as ordered below.

8 **EXHIBITS:**

9 The original and one copy of the trial exhibits are to be delivered to chambers five days
10 before the trial date. Each exhibit shall be clearly marked. Exhibit tags are available in the
11 Clerk's Office. The Court hereby alters the CR 16.1 procedure for numbering exhibits: plaintiff's
12 exhibits shall be numbered consecutively beginning with 1; defendant's exhibits shall be
13 numbered consecutively beginning with the next number series not used by plaintiff. Duplicate
14 documents shall not be listed twice: once a party has identified an exhibit in the pretrial order,
15 any party may use it. Each set of exhibits shall be submitted in individual file folders with
16 appropriately numbered tabs.

17 **SETTLEMENT:**

18 Should this case settle, counsel shall notify Rhonda Miller as soon as possible at
19 206-370-8518. Pursuant to GR 3(b), an attorney who fails to give the Deputy Clerk prompt
20 notice of settlement may be subject to such discipline as the Court deems appropriate.

21 DATED: The 15th of November 2011.

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24 Marsha J. Pechman
United States District Judge